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PATENT
021167-000710US

TOWNSEND and TOWNSEND and CREW, LLP

By: Greg M. Marshall

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Balint, Robert F. et al,

Application No.: 09/764,163

Filed: January 16, 2001

For: CIRCULARLY PERMUTATED
INTERACTION-ACTIVATED
PROTEINS

Examiner: Jon D. Epperson

Art Unit: 1627

RESPONSE TO RESTRICTION
REQUIREMENT AND ELECTION OF
SPECIES

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement and Election of Species mailed July 16, 2002, Applicants respectfully request reconsideration in view of the following remarks. Applicants petition to extend the period for filing a response to the Restriction Requirement for four months. A Fee Transmittal authorizing the Commissioner to charge the petition fee to our deposit account is attached.

REMARKS

In response to the restriction requirement Applicants respectfully elect Group V, claims 24-49 and 54-56 without traverse. However, Applicants submit that there would be no undue burden on the Examiner to examine Groups V and VII, and request that these groups be rejoined. The Examiner has stated that Group V and Group VII claims fall into the same class and subclass for search purposes and, therefore, the Examiner would not need to perform additional searches to search both sets of claims.